



4410-15

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Stipulation under the Clean Air Act, the Emergency Planning and Community Right-To-Know Act of 1986, and the Comprehensive Environmental Response, Compensation, and Liability Act

On October 23, 2018, the Department of Justice lodged a proposed Stipulation (“Stipulation”) with the United States District Court for the District of Massachusetts in the lawsuit entitled *United States v. Stavis Seafoods, Inc.*, Civil Action No. 1:18-cv-12199. In the Complaint, the United States, on behalf of the U.S. Environmental Protection Agency (“EPA”), alleges that Stavis Seafoods, Inc. (“Stavis”) violated the Clean Air Act, 42 U.S.C. § 7412(r)(1), for a release of anhydrous ammonia and associated violation of the requirements under the Clean Air Act’s General Duty Clause, such as a failure to conduct a process hazard analysis, failure to maintain the facility in the adequate manner, and failure to minimize the consequences of a release. The Complaint also contains allegations under the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. § 11022, and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9603(a) for Stavis’ failure to properly report its inventory of hazardous substances and for failing to comply with emergency notification requirements. The proposed Stipulation in this case requires Stavis to pay a civil penalty of \$700,000.

The publication of this notice opens a period for public comment on the proposed Stipulation. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Stavis Seafoods, Inc.*, D.J. Ref. No. 90-5-2-1-11574. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by e-mail or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	pubcomment-ees.enrd@usdoj.gov
By mail	Assistant Attorney General U.S. DOJ – ENRD P.O. Box 7611 Washington, D.C. 20044-7611

During the public comment period, the proposed Stipulation may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed Stipulation upon written request and payment of reproduction costs. Please mail your request and payment to:

Consent Decree Library
U.S. DOJ – ENRD
P.O. Box 7611
Washington, D.C. 20044-7611

Please enclose a check or money order for \$9.50 (25 cents per page reproduction cost), payable to the United States Treasury.

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